PLAINTIFF'S EXHIBIT

2011 Jul-20 AM 08:04 U.S. DISTRICT COURT N.D. OF ALABAMA Karen Evans-Jackson October Report

<u>Meetings:</u>

I attended one meetings in the month of October, the Collection Development Meeting.

Collection Development Meeting:

Gus presented his database tutorial for the collection development meeting. Only then did I realize how valuable the tutorials are for patrons and staff. Although I'm familiar with the databases we have at the library, I don't use all of them often enough to know about the different features they have to offer. After watching his tutorial I now know how to use Biography Resource Center more efficiently.

Sandra Crawley talked about managing the library's computers. She talked about having enough computers for our patrons to use; specifically at the branches. She also talked about computer policies and the importance of enforcing those policies uniformly across the board. If a patron can use a PC for an hour at the south side branch, they should be able to use the PC for an hour at the East Ensley branch.

There was one thing Sandra talked about that I feel needs more attention; the perceived disparity between assisting a patron with a reference question versus a patron with a computer question. She stated that we tend to spend an adequate amount of time with a patron looking for books but not enough time with patron having difficulty with computers. Regardless if we are working with a computer question or a reference question how much time is enough time with one patron. What exactly are we required to do when it comes to assisting patrons. For instance, a patron calls and asks you to do some research for them and proceed to tell you their thesis. Is it our job to do the research for them or to assist them in finding the information? I thought our job was to provide library instruction and show people how to find or where to find the information they are seeking. There's a difference between looking up a quick reference question and doing someone's research for them. Also, people who are computer illiterate need way more assistance than we can provide. I'm not sure what we are supposed to do and I suspect there are others. I think as a company maybe we need to address this issue and make sure we are all working on the same page.

Special Projects:

Featured List Links:

Barbara Ann created the new book, DVD, and audio book list in millennium to update the featured list. Once the list was completed, I updated the featured list title on the departmental page by changing the title in the source code.

Microfilm Project:

The microfilm project is still underway. We have only 3 cabinets left. Barbara Ann, Vera and I created and labels for 6 of the cabinets. Bridget was so kind to put the labels on the drawers.



I am still working with Robert Jones on the database tutorials. I've started on the GED tutorial and hope to have that one up and ready before the thanksgiving break. Richard Manoske and Robert have placed several on the BPL youtube page. Also, Robert and I are working with Yolanda Valentin on Spanish speaking tutorials. We decided to do one on GED preparation and one on the US Citizenship test. I will write the script and have it translated to Spanish, Yolanda will record the tutorial, and Robert will do the rest.

Miscellaneous:

Security seems to be the topic of conversation these days. We continue to have problems with men viewing inappropriate material on PCs, children being disruptive, and security no where to be found. I think everyone in this building bear some responsibility in the lack of enforcement of the library's policies; I'm not just picking on security. I see lots of people turn a blind eye to children playing and men watching inappropriate material.

I was once told that if I do not see "nipples or pubic hair" then security can't do anything about patrons viewing simulated sexual acts on the computer. Of course, that violates the City's no tolerance sexual harassment rule. If I perceive it to be harassment and it causes a hostile work environment then I do not have to accept that behavior.

Today is a new day and I think some changes need to be made. I understand that there's a new sheriff in town and change is coming but Renee and others need to know what's going on in order to make the necessary changes.

Training:

Staf f Day:

As usual staff day was a success. I thoroughly enjoyed everything about staff day; specifically our guest speaker Warren Graham. I hope Mr. Graham's visit is the first step to major changes at BPL. Mr. Graham provided everyone in the room with the necessary information to make our work environment more inviting to everyone.

Another thing worth noting is the overall participation in staff day. I liked the fact that all regions were involved and given the opportunity to present a skit.

Meetings:

Collection Development meeting

Special Projects:

- Up-load new books, new audio books and new DVDs
- Microfilm Project

Miscellaneous:

Database Tutorial

Committee responsibilities:

n/a

Training attended:

• Staff Day

· Subject: fyi - while you were away

From: Barbara Clotfelter <BEC@bham.lib.al.us>

Date: Wed, 26 Aug 2009 13:00:08 -0500 To: Sandra Lee <slee@bham.lib.al.us>

Hi Sandi,

I just wanted to fill you in... Yesterday Barbara Ann attended the harassment training and this morning she wrote a memo listing her concerns, etc. and requested a meeting. She did not have any recent incidents of harassment, but I think it was simply a culmination of everything during her career here. She wanted to know that the library would enforce the City's harassment policy. David and I sat down with her and had a good discussion. I called Pam, outlined the situation, and she made time for the two of us to come over. Barbara Ann talked about what sometimes happens with the public and with Security. Pam outlined the plans for the Staff Day speaker and the training he would be doing with our Security. It was a good experience all around. Barbara Ann knows she was heard, knows there are plans regarding new training for Security, and she got the assurance she needed.

Barbara Clotfelter, Department Head < bec@bham.lib.al.us> Business, Science & Technology Department Birmingham Public Library Phone: (205) 226-3691



Sexual Harassment Issues:

Since attending sexual harassment class on August 25, 2009, I have learned that my rights have been continually violated. As I have indicated in past monthly reports and filed reports with BPL security, some patrons have on numerous occasions crossed line. Patrons have made sexually inappropriate comments, touching, leering, viewed questionable adult themed websites, and engaged in masturbation. I would like for the library to enforce the City of Birmingham's zero tolerance policy on sexual harassment.

Possible Solution:

The zero sexual harassment policy should include adopting or reinforcing a measure to protect staff from unwanted advances. This zero tolerance policy should be posted so that patrons and staff are informed. Patrons who violate this policy should be escorted or banned from the library. In order to make library staff members aware of these violations as they occur by patrons, pictures should be taken of the person(s) and circulated throughout the library system.

Conclusion:

The training personnel assert that usually management can't address a situation until they are made I aware of its existence. To that end, I would like for these sexual harassment issues that I listed above to be addressed. I will also request an individual meeting with David Ryan my immediate supervisor, Barbara Clotfelter, Department Head, Sandi Lee, Public Service Coordinator, Renee Blalock, Director and Jefferson County Personnel Board. In these meetings, I would like to discuss appropriate course of actions when sexual harassment occur in the workplace and policy changes that must be made to address sexual harassment issues at the library.



Subject: more thoughts

From: Barbara Clotfelter <BEC@bham.lib.al.us>

Date: Fri, 30 Oct 2009 10:56:21 -0500 To: Pam Lyons <pam@bham.lib.al.us>

Pam,

I feel like we ran out of time when we talked the other day and there's more I need to tell you. I started writing this just to organize my thoughts, so that when I came over, I wouldn't forget anything (that's why it sounds like I'm talking to you). But, it's been a long week and rather than ask you for time, I decided I should just send it on ... Thank you.

bec

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There's more I need to say. First I think we have two problems: Security and the computers. The feeling is Security won't do anything and it is a waste of time to call them.

I feel Barbara Ann is completely genuine in her concern. I think she feels she is doing what she was instructed to do in the harassment training by documenting these events. I don't feel she is trying to build a case or involve others.

She is not the only one who has these concerns. I have Karen's self assessment and I don't mean to pull her into this without her permission, but the self assessment comes over to your office to be signed, so I'm going to quote from it. Question 4 on the Self Assessment form asks "What about your job is giving you problems or is difficult to accomplish?" Karen wrote: "This past year has been a real eye opener. It seems as though BPL gives a new meaning to customers come first. Patrons can harass you one day and be back in your face the next day. I've given up complaining about the people who come into the library and make me feel uncomfortable because it is clear nothing will ever be done about their inappropriate behavior. It makes my job difficult when I'm placed in that predicament. I should not be moved away from my desk when harassers come around, they should be asked to leave. When I complain about inappropriate behavior, I should not be made to feel like the guilty party. I guess I can be more forthcoming with the way this affects me, but after banging my head against the wall a couple of times it starts to hurt." She goes on to mention the Sexual Harassment training and asks when BPL will start enforcing the City's rule.

Traditionally our only guidance has been to remove the staff from the area if someone was bothering them and contact Security. To hear Rosalyn Short say you don't have to put up with this was huge. We have never been given any options other than remove yourself from a situation that makes you uncomfortable and call Security.

When Karen and I met to discuss the evaluation, we talked about the harassment training and I even wrote in the plan, as a response, that the sexual harassment training had been enlightening and empowering. I think it made such an impact because the staff hasn't come first for a long time and the emphasis has been on keeping patrons happy and not eausing bad publicity. I also said I thought change was coming.

I attended the harassment training with Karen. When we left the harassment training, I said to her "we need more words". Ms. Short encouraged staff to confront patrons and say "I find your behavior offensive, stop it" or "I do not want this to continue" or she said to write a letter. I was thinking uh-oh, I don't think the Library is going to want everyone to go and do their own thing, we're going to need more words. But there wasn't anything after the meeting to say "we want library incidents handled this way or we want you to do this", etc.

And no we haven't been sending messages with CybraryNet, because I thought we would hear something official saying you can say these things...I didn't think just Garry showing how it worked was enough of a go ahead. I remember David being taken

aback when he heard Fiction (I think it was) had sent someone a message. I was thinking somebody needs to get these messages approved first.

Also, I'm disappointed when I hear "if you don't like it leave". To be completely forthcoming, I thought that kind of attitude left with Mrs. Sirmans. Sandi even used the same words and that makes me stop talking. It makes me feel there is no room for discussion and to continue on would be arguing. What Barbara Ann feels is real.

As for the computers, 95% of their use is for games, movies, Facebook, etc. Sometimes we have a patron working on a financial aid form, job application, or school work – but that's if they can get to a computer. A limit of "2 hours and see you tomorrow" would solve a lot of problems. These guys do stay all day and move from PC to PC. I talked about the plan for the computers on third floor with my department to get their input and see if there was stuff I had missed. I asked them what they thought it would be like if our PCs were like Ben's in Southern with no games, no videos, and no music. Their response was it would be professional, less of a shelter, and more like a library.

Finally, let me apologize for how I'm about to say this, but part of yesterday's session with Warren Graham and Mike Lee was like a pissing match. Warren Graham was doing his best to include and acknowledge Mike Lee but it was obvious Security was not interested.

I think Warren Graham makes a lot of sense. He has solid, practical suggestions and the experience to back it up. We need to listen.

Adam Morel

From:

Adam Morel [adam@morellawfirm.com]

Sent:

Saturday, May 28, 2011 2:54 PM

To:

'Fullerton, Frederick L.'

Cc:

adam@morellawfirm.com Wison v. City of Bham et al

Subject: Attachments:

Wilson Corp Rep Depo Notice to City 5-28-11 pdf; Wilson Corp Rep Depo Notice to BPL 5-28-11.pdf; Clotfelter Depo Notice 5-28-11.pdf; Jones Depo Notice 5-28-11.pdf; Majors Depo

Notice 5-28-11.pdf; Mike Lee Depo Notice 5-28-11.pdf; Ryan Depo Notice 5-28-11.pdf;

Sandra Lee Depo Notice 5-28-11 pdf

Fred:

As we discussed yesterday, I have attached the following deposition notices:

1. City of Birmingham Corp. Rep.

2. BPL Board Corp. Rep.

3. Barbara Clotfolter

4. Robert Jones -

5. David Ryan

6. Sandra Lee

7. Mike Lee

8. **Edith Majors**

I've set the two corporate reps for 9:30 and 1:30 on June 14th. The fact witnesses are set for roughly every hour (in some cases 90 minutes) beginning at 9:00 a.m. on June 15th, with a break for lunch.

If these dates do not work for you, please let me know by email or phone as soon as possible what other dates would work in light of the July 1st discovery deadline.

Also, if you will provide the 30B documents 2-3 days before the 14th, we can proceed straight to taking the depositions. Otherwise, I will have to take time while everyone waits to review and copy them.

Thanks.

Also, I very much appreciated your professionalism in Friday's deposition.

Adam

Adam Morel, Esq. Law Offices of Adam Morel, P.C.

517 Beacon Parkway West Birmingham, Alabama 35209

Phone: (205) 252-8841 Fax: (205) 252-3727

email: adam@morellawfirm.com

Incident One:

In July 2008 at the Birmingham Public Library downtown in the Business, Science & Technology Department, a patron (Randy Lyons) called me over to view some pornographic materials that he "accidentally" pulled up? Unbenounced, to me he had previously tried to lure my co-worker (Vera Williams Brousard) over the computer to show her. My coworker asked the patron for the URL that he was using. He did not respond to her request. So when he saw me walked by he asked if I could he help. Then he told me he was looking for a movie theater. He said look what I pulled up and these photographs get worse and you go down the page. Before, I could object to him showing me the pictures. The patron scrolled down the page to give me a full view of what he was looking at. On the pages were a series of people naked from the waist down. In shock, I asked him in a full robust voice "what are you doing?" "Why would you bring me over to look at this?" Then I said "let me get someone else to help you." As I sat down in utter shock, I realized this man was the same patron who comes in around 3:30/4:00 pm daily. He then chooses a seat next to school aged girls and he brings up photograph of scanty clothed females on the computer. While sitting at the computer, the gentleman appeared to be looking down the back of these female jeans. These young women are sometimes aware of what this gentleman is looking at and doing. But they never verbally challenge him. I can only assume these women objectives are to view what they want to view then leave. So when I verbally challenged the patron he was appalled. Then he complained about my being unprofessional when clearly he was the one who behaved in an inappropriate manner. I am sure this patron left out the part about what he was viewing and how security has been called on him several times for viewing suggestive sites. And those female patrons complain about him sitting to close to them. This patron and other patrons continue to cross boundaries, display criminal & inappropriate behaviors. These patrons need to know that their behavior will no longer will be tolerated. I admit I could handle the situation better. But, I have not been trained on how to provide customer service to people who display criminal and inappropriate sexual attitudes. I do not have anything against this patron. For I am sure that on any other day, this patron is a decent human being and an overall nice person. However, when he uses public pc he chooses behaviors that are inappropriate.

Witnesses: Vera Williams Broussard, Library Assistant III, and Barbara Ann Wilson, Library Assistant III

Second incident:

On December 2, 2008 in the Business, Science & Technology Department located on third floor, a male patron approached me with a library related question. He told me when he tried to log on to the computer it wouldn't let him. I told him that his library card may be expired that he needed to go down to the circulation desk to see if his card was expired or if he had a fine. Then I proceeded to complete the morning list. So, I attempted to walk past the patron. The patron tried to rub up against me as I walked passed him. I then tried to continue to complete my task but the male patron continued to follow me. At this point, I let my immediate supervisor (David Ryan) know that I felt physically threaten and I was prepared to defend myself. He told me to stay at my desk and I did.

No Witnesses: I file a report with Ted Campbell Birmingham Public Library Security. Karen Jackson, Librarian saw this patron going into the circulation collection shelves where I was located

Third Incident:

On December 12, 2008 while in the Business, Science & Technology Department my coworker Vera Williams Broussard observed a male patron viewing questionable images on the public computers. Vera Broussard went back to find the URL and printed pages that the patron had view. She wanted to give the information to the IT Department so that the images could be blocked.

Witnesses: Vera Williams Broussard, Library Assistant III, and Barbara Ann Wilson, Library Assistant III

Fourth incident:

About a months and a half ago (August 2009?) on the third floor in Business, Science and Technology Department, I observed a male patron masturbating at a table directly across from a librarian's desk near the DVD display. As I began to pick up books and library materials from the table close to the window, I approached a black male patron from behind. I

observed him looking over to his left; I could also see his elbow move rapidly in an upward and downward motion. I thought myself that's odd. The patron must have a magazine or book sitting in his lap while he quickly peruses the pages. But then I thought why is he looking to his left why does this. As I approached the patron from behind and later passed him. I saw that he appeared to be masturbating while he looked at this librarian. He was breathing heavily, grunted, and moaned as I passed him. In shock and disbelief, I went to my Department Head Barbara Clotfelter's desk and said "Barbara this guy is manipulating himself." Barbara said what, really? I stated he's sitting at the table by the DVD display. So I quickly went to my desk and sat down. Barbara said something the effect of maybe he just want some attention. Maybe we should all stand up and look at him. Barbara and I stood up and looked at him. The patron did not stop masturbating. This patron had his gaze fixed on this librarian. She however was unaware of his activity. Barbara and I both got up from our desk and went to the DVD display case. The patron was undeterred by our presents as he continued to masturbate. At some point security was called. Ted Campbell, Central Library Security came up to the third floor Business, Science & Technology Department. As Ted walked up to the BST desk, the patron got up and headed toward the escalator. We said Ted that's the guy he's headed toward the escalator. Ted followed the guy toward the escalator. I am not sure of what actions were taken by security. I don't know if the patron was escorted out of the library or even if there was incident report filed.

Witnesses: Barbara Ann Wilson, Library Assistant III and Barbara Clotfelter, Department Head, and Karen Jackson Librarian l

Central Security

In general members of Central Security statement about obscene photographs or movies usually is that if nipples or hair is not showing then that there's is noting they can do. This happens all the time so staff just stopped complaining. Also we were told that in order to ask a patron to get off the computer staff had to call security and security had to determine whether or not the image was inappropriate.

Subject: comments for Safety Committee

From: Barbara Clotfelter <BEC@bham.lib.al.us>

Date: Thu, 05 Nov 2009 15:31:50 -0600

To: Pam Lyons <pam@bham.lib.al.us>, Renee Blalock <renee@bham.lib.al.us>

Barbara Clotfelter, Department Head < bec@bham.lib.al.us > Business, Science & Technology Department Birmingham Public Library

Phone: (205) 226-3691

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Compiled Comments from staff meeting for the Safety Committee November 5, 2009

- Security guards need to employ the 30/30/30 Warren Graham talked about, only in their case it should be 365/30/30. Every day they should be walking around and noticing and observing. We do not need them to be planted in one area. We do not want them to chat with us either. "Hello, how are you" is sufficient, now please move on.
- Staff report that our guards are as guilty of making inappropriate comments as the patrons.
- Staff has observed our guards leering at women who come in our doors.
- Our guards treat you differently if you report them. They give you attitude and may not help you the next time you call.
- The security guards need sensitivity training. They should not doubt what the staff is reporting to them. "Were you really sexually harassed?" is not appropriate.
- We don't think they have ever been trained appropriately. Do they even know how to physically restrain a person?
- Male staff has reported inappropriate behavior in the men's restroom only to be questioned by security because he was not believed. The evidence was on the wall.
- Security is not supportive to the library staff. They question why we are calling them. If the question is inappropriate material being viewed on the Internet, they said "they must see nipples and hair" to do anything. Is that crude or what?
- A Central security guard was successful in having a patron banned because the patron referred to the guard as a m----f---. Is that what it takes—offending a guard?
- When called to report harassment of a female employee by a patron, the security guard asked "what are you doing to make them do this?"
- The perception is that patrons see that we (staff and security) are passive, so they feel they can push the limits without repercussions.
- The patron who masturbated in Youth is still allowed to come in. He still tries to sit near the after school children.
- Security did not even respond to help from one of their own. Joe was on the third
 floor trying to deal with a patron and called for help three times. No one came.
- Why is it you never see security during the day except when you come in or leave the building?
- Staff is uncomfortable knowing many of our patrons have mental problems and/or drug problems and knowing security is ineffective.
- If we are to assist security, then information needs to be shared. Can we have a reports or pictures or descriptions place on the intranet?
- We have many repeat offenders in the building every day. Why can't we get them gone?

- The feeling is we need new security from the top down. Their attitudes, their habits, will not be changed by having a manual.
- There is a lot of underlying anger here. Staff is angry that this crap continues, nothing is done, and security is often as offensive as the public.



October 20, 2009

RE: Meeting with Barbara A. Wilson and Barbara Clotfelter, Supervisor and Department Head-Business, Science and Technology

Barbara Clotfelter contacted me to ask if I would speak to Barbara Wilson. Ms. Wilson had some concerns after attending the review Sexual Harassment Training offered by the City of Birmingham here at the library on August 25, 2009. She wanted assurance that what was said in the Sexual Harassment Training would be the Library's policy and that security would enforce it. Birmingham Public Library adopts the policies of the City of Birmingham and this policy was no different.

In general, Ms. Wilson spoke of patrons staring at her and patrons making unwelcome comments to her. I understood the comments to be flirtatious, yet unwanted. It was Ms. Wilson's practice to remain professional and to proceed with assisting the patrons with the information requested. But she'd also begun the practice of telling the patrons when the comments were inappropriate. Ms. Wilson spoke of an instance when a patron walked too close to her down the row of shelves and she spoke of patrons viewing inappropriate sites on the public computer. I asked were these recent occurrences and Ms. Wilson said these occurrences happened over the past years. She also told her immediate supervisor and Department Head that these instances were not recent. I then asked if there were problems with the computer filter allowing pornographic material to be displayed. She said patrons have learned to manipulate the system to have the porn sites to be sent to their email or Facebook. I asked if the information had been reported to IT or to Security. She said when security comes, the patron viewing the inappropriate material has left the floor. Giving a description of the patron, security often finds they've left the building. (I do not recall asking her if she'd utilized CybraryNet, the system that allows staff to close an inappropriate site without physically interacting with the patron).

I told Ms. Wilson that the library had already secured a security expert to speak on Staff Day- October 29, 2009 but because of issues raised at the Sexual Harassment training, Warren Graham, the security expert was coming to the library on September 7 to speak to Security and the Administrative Council. The Library is in the process of establishing consistent procedures for dealing with specific behaviors that violate library rules. And the training that Warren Graham offers will help staff and security work together.

Ms. Wilson appeared satisfied to hear of the immediate library plans to better train staff and Ms. Clotfelter thought that Ms. Wilson was pleased to having been heard.





October 22, 2009

TO:

Irene S. Blalock, Director

FROM:

Edith T. Major, Personnel Officer

Around the first of October 2009, I received a call from Barbara Wilson asking to come to my office for a meeting. Upon her arrival, she asked what were the procedures in scheduling a meeting with the Library Board. I informed her of the proper chain of command to be followed: (1) Talk to the supervisor, (2) Schedule a meeting with the Associate Director (and possibly the Director and the Personnel Officer).

She discussed her concerns regarding sexual harassment and inappropriate behavior of library patrons. Ms. Wilson spoke about patrons masturbating in front of her and staring at her. I asked if this behavior had been brought to the attention of her Supervisor and the Security Staff. She said yes.

She continued by stating that it was becoming increasingly difficult for her to get in her car and come to work. She stated that she wanted to seek counseling from the City's Employee Assistance Program. I immediately provided Ms. Wilson with the brochure and telephone number. I informed her that unless a supervisor recommends that she attend counseling, the sessions would require the use of her own personal time.

Cc: Pamela Lyons, Associate Director

Subject: more thoughts

From: Barbara Clotfelter <BEC@bham.lib.al.us>

Date: Fri, 30 Oct 2009 10:56:21 -0500 **To:** Pam Lyons <pam@bham.lib.al.us>



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She is not the only one who has these concerns. I have Karen's self assessment and I don't mean to pull her into this without her permission, but the self assessment comes over to your office to be signed, so I'm going to quote from it. Question 4 on the Self Assessment form asks "What about your job is giving you problems or is difficult to accomplish?" Karen wrote: "This past year has been a real eye opener. It seems as though BPL gives a new meaning to customers come first. Patrons can harass you one day and be back in your face the next day. I've given up complaining about the people who come into the library and make me feel uncomfortable because it is clear nothing will ever be done about their inappropriate behavior. It makes my job difficult when I'm placed in that predicament. I should not be moved away from my desk when harassers come around, they should be asked to leave. When I complain about inappropriate behavior, I should not be made to feel like the guilty party. I guess I can be more forthcoming with the way this affects me, but after banging my head against the wall a couple of times it starts to hurt." She goes on to mention the Sexual Harassment training and asks when BPL will start enforcing the City's rule.

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- Staff report that our guards are as guilty of making inappropriate comments as the patrons.
- Staff has observed our guards leering at women who come in our doors.
- Our guards treat you differently if you report them. They give you attitude and may not help you the next time you call.
- The security guards need sensitivity training. They should not doubt what the staff is reporting to them. "Were you really sexually harassed?" is not appropriate.
- We don't think they have ever been trained appropriately. Do they even know how to physically restrain a person?
- Male staff has reported inappropriate behavior in the men's restroom only to be questioned by security because he was not believed. The evidence was on the wall
- Security is not supportive to the library staff. They question why we are calling them. If the question is inappropriate material being viewed on the Internet, they said "they must see nipples and hair" to do anything. Is that crude or what?
- A Central security guard was successful in having a patron banned because the patron referred to the guard as a m-----f----. Is that what it takes offending a guard?
- When called to report harassment of a female employee by a patron, the security guard asked "what are you doing to make them do this?"
- The perception is that patrons see that we (staff and security) are passive, so they feel they can push the limits without repercussions.
- The patron who masturbated in Youth is still allowed to come in. He still tries to sit near the after school children.
- Security did not even respond to help from one of their own. Joe was on the third floor trying to deal with a patron and called for help three times. No one came.
- Why is it you never see security during the day except when you come in or leave the building?
- Staff is uncomfortable knowing many of our patrons have mental problems and/or drug problems and knowing security is ineffective.
- If we are to assist security, then information needs to be shared. Can we have a reports or pictures or descriptions place on the intranet?
- We have many repeat offenders in the building every day. Why can't we get them gone?

- The feeling is we need new security from the top down. Their attitudes, their habits, will not be changed by having a manual.
- There is a lot of underlying anger here. Staff is angry that this crap continues, nothing is done, and security is often as offensive as the public.

Subject: incident

Date: Tue, 02 Dec 2008 09:58:56 -0600

To: Barbara Clotfelter <BEC@bham.lib.al.us>, dryan@bham.lib.al.us



Barbara Wilson, Library Assistant III < bwilson@bham.lib.al.us> Business, Science & Technology Department Birmingham Public Library 205.226.3694

On December 2.doc Content-Type: application/msword Content-Encoding: base64



On December 2, 2008, a male patron approached me with a library related question. He told me when he tried to log on to the computer it wouldn't let him. I told him that his library card may be expired that he needed to go down to the circulation desk to see if his card was expired or if he had a fine. Then I proceeded to complete the morning list. So, I attempted to walk past the patron. The patron tried to rub up against me as I walked passed him. I then tried to continue to complete my task but the male patron continued to follow me. At this point, I let my immediate supervisor know that I felt physically threaten and I was prepared to defend myself. He told me to stay at my desk and I did.

Barbara Ann Wilson

Subject: October 12, 2009 incident

From: Barbara Wilson bwilson@bham.lib.al.us

Date: Mon, 19 Oct 2009 10:46:35 -0500 To: Karen Jackson <kjackson@bham.lib.al.us>, Barbara Clotfelter <BEC@bham.lib.al.us>

October 12.09.doc

Content-Type:

application/msword

Content-Encoding: base64

October 12, 2009 at 10:50am while working on the third floor in the Business, Science & Technology Department, my coworker Vera Broussard asked me to call Mike Lee (Head of Security). I asked Vera what was wrong. All Vera could do was to point to the public pc in front of her desk. What I saw when I look at the pc was an unclothed morbidly obese African American woman vigorously bouncing up and down. So I immediately got on the phone and dial extension 3705 for Mike Lee. Olivia, a member of Security answered the phone. I stated to Olivia that I needed to talk to Mike Lee. Olivia asked what was wrong. I told her that I didn't have time to explain everything but there is a patron looking at pornography. I hung up the phone and went directly over to the patron and stated "You are violating library policy by viewing these images." Immediately, I turned off the computer screen and the patron left. But before the patron reached the escalator to leave, Vera Broussard called down to the security desk and told Olivia what the person watching porn looked like and what he was wearing. Vera hung up the phone and followed the patron down the escalator in order to identify the patron to security.

Shortly afterward, Mike Lee came to my desk and asked what was wrong. I went over to the public pc and turned the screen on, printed the sites that the patron visited. I revealed both Mike Lee and my immediate supervisor (Karen Jackson) the sexually explicit videos (BBW *uckFest: pink kandi and freakfest 2010) and pictures (pink kandi) that the patron was looking at. Freddie Lewis (member of Security) came up to BST and I asked Sergeant Lewis to call the police so that I could to file a police report. By this time the patron had already left the building. While Sergeant Lewis and I were talking, he spotted Bob Doonan and stopped him as he passed by so that he could retrieve some of the images from the computer. Bob determine that the images were posted on a Myspace account. About 11:04 Rick from automation stopped by. Rick stated the following: "the patron was able to look at this? They shouldn't have been; this one must have slipped through the filter."

By this time the policeman arrived and asked what happened. I told him that one of the patrons was looking at pornography on the public pc. Officer P.T. Carter asked if the patron was homeless because oftentimes some homeless patrons are notorious for watching pornography in the library. I told the Officer that I didn't know whether or not if the patron was homeless or not. I gave Officer P.T. Carter a statement; then Officer P.T. Carter called the Magistrate Officer to see what kind of charges could be filed. The Magistrate stated "to issue a trespassing warning on the suspect."

Officer P.T. Carter completed the police report and gave me a copy. Also Sergeant Freddie Lewis gave me a copy of the Special Incident Report.

Afterwards, my Department Head asked me what happened I told her that Vera and I observed a patron watching pornography. I also told her that I requested that Freddie call the police. I will route a copy of police report from Birmingham Police Officer P. T. Carter and Incident Report from Sergeant Freddie Lewis along with the website that the patron visited.

Subject: patron incident

From: Barbara Wilson

 bwilson@bham.lib.al.us>

Date: Wed, 28 Oct 2009 13:30:16 -0500

To: Barbara Clotfelter <BEC@bham.lib.al.us>, Karen Jackson <kjackson@bham.lib.al.us>,

Sandi Lee <slee@bham.lib.al.us>, Pam Lyons <pam@bham.lib.al.us>,

renee@bham.lib.al.us

Starting on or about 5:46pm while on my way to Social Science Department, I observed a black male patron looking at scantily clad women that were positionin sexually suggestive poses on the internet. I proceeded to go to Social Sciences. After I returned to my desk, I continued to notice that the patron would pull of thumb print images of women and when he found the one's he was interested in he would enlarge the picture. So I told my immediate supervisor Karen Jackson. I said "Karen look at what this patron is looking at." Around this time it was 5:55. I asked Karen to show me how to send a message via CybraryNet so that I wouldn't have any physical contact with the patron. I used the CybraryNet send command to send the following statement. "The City of Birmingham has zero tolerance sexual harassment policy, the images you are viewing violates this policy." I watched the patron read the message. Then he immediately ignored the message and continued to view the images. The patron only closed out the images briefly when he noticed Freddie and Mr. Lowe of security passing by. Once security had passed the patron, the patron turned around to make sure security was gone. Then the patron maximized the images again and continued to view the images. At this point, I stopped Robert Jones and Ron Carter so that they could see the images that the patron was looking at. I said to my coworkers "can you just believe this guy has the nerve to look at this stuff at the library."

I stopped the security guard Katie and asked her to tell the patron that he could not view these images in the library. Katie went over to the patron and told him that he could not view the images. Then Katie came over to my desk and told me that if the patron viewed anymore similar images that I could ask him to leave. I told Katie that I would do her one better and I called Birmingham Police Department at 205.254.2860. Because as soon as Katie walked away from the patron, the patron continued to look at the images that he was told not to view. I spoke to an officer and gave him my name. And I told him that I was at the library and that a patron was looking at inappropriate images on the internet. I further stated that I sent him a message via computer telling him that he's in violation of The City of Birmingham zero tolerance sexual harassment policy. I continued to tell the police officer that a security guard told the patron that he could not view the images. Yet, the patron continued viewing the images.

About five minutes later the police officer from downstairs came up to the third flood and asked me what was going on. I told Officer Combs that the patron was looking at inappropriate images. I also told Officer Combs all the measures that I took to warn the patron about his viewing the images. And I informed Officer Combs that I called Birmingham Police because I needed an official police report made. Officer Combs told me to cancel that Police because he would handle it. I called back and canceled my request and told the operator that we had a police in the library. Officer Combs spoke with the patron briefly and escorted him downstairs. About ten minutes later I saw security officer Lowe and I asked him could I get a copy of the incident report and what happened with the patron. I was told by Mr. Lowe that I had to get a copy from Sergeant Lewis.

My impressions Sexual Harassment Training should be made mandatory *for ALL security personnel part-time, full-time and substitute officers.* My experience have been in the six plus years that I have been employed at Birmingham Public Library is that security act like you are bothering them when you call to make a complaint about patron behaviors especially when the complaint is about patrons accessing questionable images on the public pc's. Members of security oftentimes







complain about the person making the complaint instead of concentrating on the patron committing the illegal activity in the library. To this end tit appears that security's actions and behaviors are not in keeping of the City's Policy. Moreover, I would have never canceled my request for Birmingham Police Department if I had known that I wouldn't receive an official police report from Officer Combs. Maybe in the future BPL can hire some female police officers who will address staff needs more efficiently instead treating staff like they are part of problem.



Subject: incident report

Date: Tue, 25 May 2010 17:48:46 -0500

To: Pam Lyons <pam@bham.lib.al.us>, Barbara Clotfelter <BEC@bham.lib.al.us>, Karen

Jackson <kjackson@bham.lib.al.us>

On May 22 parttwo.doc Content-Encoding: base64

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On May 21, 2010, I received a phone call from a staff member who works in Social Sciences. The staff member stated a patron known as William said that I called him a "man whore." I said "what" to which the staff member further stated that William had also accused other female staff at the Circulation Desk of putting their middle finger up in the air. William assumed that when the Circulation Staff put their middle fingers in the air their middle finger indicated that they wanted a romantic relationship with him. The staff member further stated that William said that he was going to talk to administration about what happened. I told the staff member that I barely know this man let alone had a meaningful conversation with him. I stated to the staff member that William somehow found out my name. Every since that time, William continues to yell my name from across the room. When William walks across the room sometimes I acknowledge his presence but often times I do not. After I had spoken with Staff member, my supervisor Karen Jackson came up and asked me what happen. I told her this patron named William told a staff member that I had called him a "man whore." I further reiterated that I barely knew this man let alone engaged in him a conversation.

May 24, 2010 before I could even clock in good a staff member approached me to let me know that William had spoke with administration regarding his allegations. She continued that after William had spoken to administration William planned to go to Birmingham City Hall to voice his complain about being called names. After hearing this same story four times before I got to me desk, I began to think how ridiculous this story had become.

When I arrived at my desk, my supervisor Karen Jackson stated that she needed to talk to me to which I complied. We went into the workroom for privacy. She stated that a staff member had called her to let her know that William had gone to administration and complained that I had called him a name. Moreover the staff member stated that William would also complain that staff at the Circulation Desk had made inappropriate hand gesture to him. My supervisor asked "Barbara I have to ask you did you say anything to William." Again I said to Karen, I barely know this man. Karen also stated that she had to convey the allegations to my department head Barbara Clotfelter because William had made some serious allegations against. Karen stated that she had to take allegations seriously because that was part of her job. I stated to Karen that William usually yells my name when he walks through Business, Science & Technology. I further stated that I was not interested in this patron in anyway. I continued that I only spoke to him because I thought that he suffered from an intellectual disability. So I tried to be civil to him.

The crux of the problem is this. If a staff member speaks to a patron or even if staff acknowledges the patrons presence, usually the patron automatically think that the staff member has a romantic interest in them. Or the patron will create a whole fantasy centered on the staff. William is just another example of how some patrons come into the library and harass staff. Then when a patron advances are rebuff. Later the patron complains and make false allegation about staff.

After my conversation with my supervisor, I now remember years ago William asked me out on a date. I told him that I was not interested in him. Since that day we never had a conversation. Instead, William just yells my name from across the room when he walks by department (BST). William has a reputation of harassing staff for dates.

Moreover, I feel like this yet another example of how some patrons go to far. This patron harassed staff yet he is claiming harassment. This is my official statement regarding William. William is not telling the truth when he states that I called him a name. I can not speak for anyone else action. I feel that William is delusional and he lives in the land of wishful thinking. Since everyone has to understandably do their job and take Williams comments of sexual harassment seriously. I plan to takes some steps for my own physical and mental security.

- I plan to file a complaint with Birmingham Police Department stating that William has sent harassing communication to me, my employer, and other staff members.
- 2. I plan to go the Magistrates Office to have an arrest warrant signed for William's arrest.

If I see him and he attempt to have any communication with me, I am going to call Birmingham Police Department and have William arrested.

On May 25, 2010 after receiving a copy of the letter William wrote, I asked for a meeting with my immediate supervisor and department head. I told them that I had gone to the Birmingham Police Department to file charges against William for sending and disseminating harassing communication at my job. I further stated that an officer from the Birmingham Police Department said that I could call the police from work. She stated that if I called the police from work it would give the police a chance to question William. Before I left for lunch, I observe William holding a piece of paper and while two staff members Kenny and Willie of housekeeping looked at it. Other staff members stated that they have read the letter (Kenny & Willie). I have been tease by staff who ask me "where my man at" referring to William. Over ten staff members told me that William had written a letter on me to administration. William had stated to other staff members that three people that he had complained about in the letter tried to force him to have sex with them.



From: Barbara Wilson

bwilson@bham.lib.al.us>

Date: Sat, 17 Jul 2010 16:18:52 -0500

To: bec@bham.lib.al.us, Karen Jackson <kjackson@bham.lib.al.us>, Christopher Hare

<chare@bham.lib.al.us>

On July 17, 2010 around 1:38pm patron Mr. Freeman Morris (21405016397792) turned in BPL laptop/cord (31405050104888 & 3140500105083) with pernographic images (including apparent child pernography) displayed on the screen (see collected screen prints for images and URLs); to be clear, he had not logged off when he returned this laptop. I asked Jim Murray of Social Science to look at the URLs where Mr. Morris had visited since the links were still on the screen. Officer Freddie of security was passing by Business, Science & Technology, so I stopped him to show him the images that were on the screen. Freddie told me to print the images; I did. Freddie also told me to describe the patron and what he was wearing, so I did. I called Officer Lou of security to ensure that more than one security officer was aware of the situation. Lou also viewed the pernographic images displayed on the screen. He then instructed me to reboot this computer; so I did. He also instructed me to call him if I saw Mr. Morris.

A short while later Chris Hare noticed Mr. Morris walking toward the down escalator. I called security and Freddie answered. I confirmed my description of Mr. Morris to him. I went to the first floor and witnessed Freddie speaking to Mr. Morris. Please refer to Freddie's incident report for details of their interaction.

It is my understanding that Freddie warned Mr. Morris not to repeat this behavior. It is also my understanding that Mr. Morris has not been barred from the library.

We request instructions on how to interact with this patron. Both Chris and I are concerned that Mr. Morris will simply check out laptops from other departments since he has not been barred from the library and since the only departments involved were BST and Security. We suggest making other departments aware of this situation so that they may be prepared to deal with this patron.





Subject: patron incident

From: Barbara Wilson

 wilson@bham.lib.al.us>

Date: Wed, 24 Nov 2010 12:27:28 -0600

To: Barbara Clotfelter <BEC@bham.lib.al.us>, Karen Jackson <kjackson@bham.lib.al.us>, Sandi Lee <slee@bham.lib.al.us≥, Angela Fisher Hall <ahall@bham.lib.al.us>, Pam Lyons <pam@bham.lib.al.us>, renee@bham.lib.al.us

At 11:15 patron Brandi Leigh Campbell complained to David Ryan and Barbara Wilson of Business, Science & Technology that a darked skinned patron wearing a light blue jacket was standing by the escalator on the second floor. David Ryan went to the second floor to see if he could find the patron but he wasn't able to. Brandi Leigh Campbell said that the patron appeared to be grabbing at his penis as women walked by him. She further stated that she saw him grabbing his privates three separate times. I called security. Ted Campbell came up to me and asked me what did I want. I told officer Campbell that Brandi Leigh Campbell want to fill out a report against the patron.



BW'S Feb Monthly Report

PLAINTIFF'S EXHIBIT

Accomplishments:

I attend Library Assistant Training at North Birmingham. The meeting consisted of numerous Library Assistants from central library and different branches. Each assistant gave a brief excerpt from a book he/she had chosen from a list of an Alabama authors. The books that were discussed are to be displayed at Alabama Bound which is held annually at Central BPL. I attended a basic excel class taught by Kathy Roper at the Regional Library Computer Center. This class was extremely informative. I learn how to perform basic function in excel. I walked way with a since of fulfillment and accomplishment that I had acquired a new skill. Moverover, I feel like now like I've always felt in the past that all employees at BPL should have access to all computer classes whether or not the classes are offered fit part of one's job description. Most company welcomes computer efficient persons I typed labels, checked in, and filed over fifty microfiche. I composed and arranged selected books to correspond with the holocaust exhibit on the first floor. Books were sent to be bound. Ann Austin and John Coley from Social Sciences were trained on how to create new item list. I crossed trained in Art, Lit & Sport. The experience was important and I learn many different things. For example, instead sending patrons to ALS, I had a better understanding of and a general idea of where things were located. The typing room is located in the far left corner of the public pc's. Also the English dictionary is located directly in front of the typing room.

Concerns:

Tuesday & Thursday when the computer lab is closed, computer traffic is heavy. There are those patrons who use the computer to complete their class assignments and job application online. Then there are those "regular" patrons who choose to indulge in images of textile free or optional women and children via the internet. Although it is true we have internet filters, some patrons have outsmarted the system by having questionable images sent their emails. One moment you're sorting periodicals; the next you look up see a semi nude women on the computer screen. The sight of these lewd and offensive images is disconcerting, in that, these images are disturbing to look at and it deflects attention away from patrons with legitimate concerns and questions. Even more disturbing is the response to concerns to porn watchers. One response by security, due to staff shortage, is to arrive after patron had viewed the "model" images. Then when security observe the patron viewing the image the question becomes, well how much clothing do the model have on to be deem offensive. Yet another inappropriate asinine response by some for me is to "turn my head." Well, I work here and as part of customer service excellent it is my duties to be constantly aware of patron needs. Part of this duty includes logging patrons on to the computer which require that I look up. Yet another concern would be patrons questions and issues directed to the incorrect departments. For example, one patron phone call was transferred from the first floor to BST. The patron

wanted to speak to Russell Lee. Russell works on the 2nd floor in A.L.S. This is just one example of a misdirected phone call and patron. The universal answer appears to be "you can find it on the third floor" no matter what the subject matter is. In one sense, I am quite flatter to think others hold BST staff members in such high esteem. On the other hand, more often times than not, I find myself livid and perturbed that some will not take the time out to just look in the computer database to properly directed the patron. By the time the patron reaches BST, they are very upset. Maybe staff can be educated on what different departments have to offer or a quick ready reference via intranet can be made available to staff member who are not familiar with different departments.

Miscelleanous: None.

Time away from department:

2 ½ hours L.A. meeting2 hours introduction to excel class1 hour 15 min desk coverage in A.L.S

Barbara Ann Wilson August 2008 Monthly Report



Accomplishments:

I attended Jefferson County Public Library Association (JCPLA) Staff Development Day. This training session was held at Homewood Library. The morning speaker was Victoria Ashford Director of Helena Public Library. Mrs. Ashford presentation was titled The Power of Expectation: How to Put the Power of work for You! The Director gave several vignettes of how changing just a few things in her day to life help her build constructive and effective working relationships with the library board, mayor's office and patrons. The key in constructing all these relationships were communication. The director made sure her staff new each board member by name.

Victoria shared how she would send the mayor thank you notes for the annual 4% salary increase. She continued about how she builds a texting relationship with the mayor, a text that the mayor often anticipated. Victoria wanted the mayor to know how grateful she was for the pay increase. The Director also said as a result of her communications with the mayor, along with the quality services Helena Public Library provides, the mayor often stands up during city council meetings and introduces Mrs. Ashford as his Librarian. The mayor's pride and acknowledgement of Helena Director demonstrates that the library's services are a valued part of the Helena community.

Mrs. Ashford continued to discuss the community. She stated that patrons are the life blood of the library's existence. Therefore providing quality services to each individual patron is paramount. For example, the director commented that she wanted to "meet patrons where they are." What she means by this is that she will send patron library material that is reference because if the patron has a need for the item she wants them to have it. One example she used was some library won't send or receive media. Specifically, she pointed out Hoover and Mountain Brook library were one of those libraries where media in not routed. Mrs. Ashford stated Helena Public library would be more than happy to send almost any item. Her point was everyone benefited from the transaction. In addition, Helena statistics went up and she made the patron happy.

After Mrs. Ashford finished the Opening Sessions, then the morning session was held. I attended the Self-Serve Training: Online Resources for Training at Your Convenience. We went over Library U, Opal and Web

Junction. This class was facilitated by Michelle Devins; she is an instructor in RLCC.

Also, Michelle Devins taught E-Services Refresher class in the Afternoon Session A. We discussed services that were available online. For instance the class we went over databases like AVL, digital collections, Homework Help, Live Mocha, BooKFlix, BookTest online, Learning Express and Others.

In addition, the Afternoon Session B taught by Michelle Devins was Downloadable Audio: "how do I get this book onto this little player? Audio (LibriVox) offered ways to volunteer, how to download, how to actually checkout an audiobook.

A departmental staff meeting was held on 8.21.08; we discussed several items. One such item was the upcoming xo exposition at the McWane Center. Kiplinger's offers free services. The Youth Department provides afternoon activities for students after school. In addition, students will only allowed to have food and beverages in two location in the library the atrium & story castle. On Staff Day check-in time for Stromberg is 8:30. It was announced that Alabama Bound with be coming soon. And to decrease duplication of periodicals, some microforms were canceled.

Meetings:

- JCPLA 8hrs
- Paraprofessional meeting 2 1/2hrs
- Departmental meeting 1hr
- Customer Service Challenge: Dealing with Difficult People 3 hrs

Concerns:

One of my concerns is overzealous male patrons who choose to use inappropriate methods of communications. I have had unwanted attention from some male patrons. Some male patrons have followed me around during the workday and made suggestive comments to me. Some male patrons have attempted to touch my breast and buttocks. And yet other male patrons have brought up inappropriate adult materials (porn) on the public pc's and call me over to the computer to gage my reaction to the porn they "mistakenly" pulled up. All these behaviors are inappropriate in the workplace. I do consider these forms of communication harassment. I have in ALL CASES let the patron and my employer's know that the behaviors and attention is unwanted. I don't know answer to this problem. I do know

that some libraries have security personnel take picture of patrons who view inappropriate material on the public pc's. Then the patron is banned from utilizing their library. Maybe the library could offer a workshop that addresses how to handle inappropriate behaviors by patrons. We do have security but at times, members of security aren't always available when incidents occur due to various other obligations. At this point, I do not believe customer service excellence could have satisfied any of these patrons needs. Because what they wanted had nothing to do with me providing library services. The impact of some patron behaviors on me comes out as stress and frustration. These disruptive patrons often interrupt the workflow. Thus, they slow down continuity of library services to others patron with legitimate concerns and needs. I wish I could say that the things I have explained were isolated incidents but they are not. There are other incidents were some patrons have expose their privates to children.

Just last month Business, Science & Technology had a patron who comes to the library and department on a daily basis. This patron called me over to view some pornographic materials that he "accidentally" pulled up? Unbenounced, to me he had previously tried to lure my co-worker over the computer to show her. My coworker asked the patron for the URL that he was using. He did not respond to her request. So when he saw me walked by he asked if I could he help. Then he told me he was looking for a movie theater. He said look what I pulled up and these photographs get worse and you go down the page. Before, I could object to him showing me the pictures. The patron scrolled down the page to give me a full view of what he was looking at. On the pages were a series of people naked from the waist down. In shock, I asked him in a full robust voice "what are you doing?" "Why would you bring me over to look at this?" Then I said "let me get someone else to help you." As I sat down in utter shock, I realized this man was the same patron who comes in around 3:30/4:00 pm daily. He then chooses a seat next to school aged girls and he brings up photograph of scanty clothed females on the computer. While sitting at the computer, the gentleman appeared to be looking down the back of these female jeans. These young women are sometimes aware of what this gentleman is looking at and doing. But they never verbally challenge him. I can only assume these women objectives are to view what they want to view then leave. So when I verbally challenged the patron he was appalled. Then he complained about my being unprofessional when clearly he was the one who behaved inappropriately manner. I am sure this patron left out the part about what he was viewing and how security has been called on him several times for viewing suggestive sites. And those female patrons complain about him

sitting to close to them. This patron and more continue to cross boundaries, display criminal & inappropriate behaviors. These patrons need to know that their behavior will no longer will be tolerated. I admit I could handle the situation better. But, I have not been trained on how to provide customer service to people who display criminal and inappropriate sexual attitudes. I do not have anything against this patron. For I am sure that any other day this patron is a decent human being and an over nice person. However, when he uses public pc he chooses behaviors that are inappropriate.

Miscellaneous:

None.